

1052

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Natalia Judith ALARCON de Denga

Defendant.

Magistrate Case No.: '07 MJ 9007

COMPLAINT FOR VIOLATION OF


19 U.S.C. § 1433, 1436

Unauthorized Departure from a Customs
Facility (Misdemeanor)

The undersigned complainant being duly sworn states:

That on or about December 28 , 2007, within the Southern
District of California, defendant Natalia Judith ALARCON-De Denga did knowingly and
intentionally depart from a designated customs facility without authorization from the
appropriate Customs officer in violation of Title 19, United States Code, Section 1433.

The complainant states that this complaint is based on the attached Statement of
Facts incorporated herein by reference.


Special Agent
U.S. Immigration & Customs
Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 31ST,
DAY OF DECEMBER 2007.


Peter C. Lewis
UNITED STATES MAGISTRATE JUDGE

PROBABLE CAUSE STATEMENT

On December 28, 2007 at approximately 0005 hours, Natalia Judith ALARCON-De Denga entered the United States at the Calexico, California, West Port of Entry. ALARCON was the driver of 1995 Toyota Tercel. ALARCON claimed that she was a Naturalized United States Citizen to Customs Border Protection (CBP) Officer Carp. Officer Carp asked ALARCON for a U.S. Passport or some form of identification. ALARCON stated that she did not have any type of identification documents with her. Officer Carp decided to escort ALARCON and the vehicle to the secondary lot for closer examination. Officer Carp directed ALARCON to follow him to the vehicle secondary lot.


While escorting ALARCON to the vehicle secondary inspection lot Officer Carp noted that ALARCON was directing the vehicle toward the northbound exit of vehicle lanes, and not towards the vehicle secondary inspection lot entrance as she had been directed. Officer Carp directed ALARCON to stop. Officer Carp observed that ALARCON continued to drive the vehicle into the northbound lane from the vehicle lanes. Officer Carp yelled out "port runner" numerous times to alert other officers. The vehicle in front of ALARCON stopped, forcing ALARCON to stop. Officer Carp went to the vehicle that ALARCON was driving and directed her to turn off the vehicle. ALARCON refused to comply and began honking at the stopped vehicle in front of her. Officer Carp reached into the vehicle to attempt to gain control of the vehicle keys and shut the vehicle off. ALARCON attempted to drive off and Officer Carp took his arm out of the car. Officer Carp saw ALARCON lock her doors, roll up her windows and try to drive around the vehicle that was blocking her in the lane.

Officer Carp deployed his baton and began striking the window. Other CBP Officers responded and the vehicle was stopped and ALARCON was detained.

ALARCON was placed under arrest but refused to communicate with Special Agents in any coherent manner, passively resisted simple commands and physically resisted being finger printed. After numerous attempts at communication in English and Spanish, Special Agents transported ALARCON to the El Centro Crisis Center Mental Facility for evaluation. ALARCON was evaluated by a doctor and cleared medically for booking at Imperial County Jail.

ALARCON was booked into the Imperial County Jail pending her initial appearance before a U.S. Magistrate Judge.

Executed on December 28, 2007 (date) at 1800 (hours).


Joe Morquecho
SPECIAL AGENT

On the basis of the facts presented in the probable cause statement consisting of 1 page(s), I find probable cause to believe that the defendant(s) named in the probable cause statement committed the offense on Dec 28, 2007 in violation of Title 19 United States Code, Section(s) 1433, 1436.


United States Magistrate Judge

CATHY ANN BENCIVENQO
U.S. MAGISTRATE JUDGE

12/28/07 @ 6:50 pm
Date/Time